

VIA FACSIMILE
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PATENT APPLICATION
Atty Ref. 15966-557 CIP1 (Cura-57 CIP1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Jeffers *et al.*
SERIAL NUMBER : 09/609,543 EXAMINER : Christine Saoud
FILING DATE : July 3, 2000 ART UNIT : 1647
FOR : NOVEL FIBROBLAST GROWTH FACTOR AND NUCLEIC ACIDS
ENCODING SAME

BOX AF
Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT AND RESPONSE

This filing is in response to the December 12, 2002, Final Office Action ("Office Action"). Please consider the remarks prior to further prosecution.

AMENDMENTS

In the Claims:

Cancel claims 6-40, 42-45 and 47-62 as being drawn to non-elected subject matter.

REMARKS

Claims 1, 5, 41, 46, 63 and 64 are pending in the instant application. These claims have been rejected on various grounds. Each will be addressed in turn below.

Examiner's Position

In the pending Office Action, the Examiner made the following rejections:

- (1) 35 U.S.C. §101 - Claims 1, 5, 41, 46 and 63-64 were rejected as not supported by a specific, substantial, or credible utility.
- (2) 35 U.S.C. §112, first paragraph - Claims 1, 5, 41, 46 and 63-64 were rejected for failing to adequately enable one skilled in the art to use the claimed invention, given the above rejection under 35 U.S.C. §101.

Applicants traverse each of these rejections as applied to the claims and address both rejections as follows.